

ELC 15.3
CONFIDENTIALITY

(a) Maintaining Client Confidentiality. In the course of conducting examinations and reexaminations under this Title, the Office of Disciplinary Counsel receives, reviews and holds attorney-client privileged and other confidential client information under and in furtherance of the Supreme Court's authority to regulate the practice of law. Disclosure of information to the Office of Disciplinary Counsel is not prohibited by RPC 1.6 or RPC 1.9, and such disclosure does not waive any attorney-client privilege. Notwithstanding any other provision of these rules, if the lawyer identifies specific client information that is privileged or confidential and requests that it be treated as confidential, the Office of Disciplinary Counsel must maintain the confidentiality of the information unless the client consents to disclosure.

(b) Disclosure. All information related to an examination or reexamination under Rule 15.1, including any docket maintained under Rule 3.6(d), is confidential and is held by the Office of Disciplinary Counsel under the authority of the Supreme Court. Information under Rule 15.1 is only available to the Office of Disciplinary Counsel, the lawyer or law firm examined or reexamined, and the Board or any review committee considering the matter under this Title. When a disciplinary grievance is opened under Rule 15.1, the disclosure provisions of Title 3 apply to all information related to the examination and/or reexamination that relates to the disciplinary grievance. Nothing in these rules waives or requires waiver of any lawyer's own privilege or other protection as a client against the disclosure of confidences or secrets.

[Adopted effective October 1, 2002; Amended effective January 1, 2014; December 8, 2015.]